

FILED

JUL 26 2005

U.S. MAGISTRATE JUDGE
FOR THE WESTERN DISTRICT OF TEXAS
SPECIAL DEPUTY CLERK

United States District Court

WESTERN

DISTRICT

TEXAS

UNITED STATES OF AMERICA

V.

CRIMINAL COMPLAINT

Mario Alberto RIVAS

CASE NUMBER: 05-3609M

(Name and Address of Defendant)

I, the undersigned complainant being duly sworn, state the following is true and correct to the best of my knowledge and belief. On or about July 25, 2005 in El Paso county, in the Western District of Texas defendant(s) did, (Track Statutory Language of Offense)

unlawfully escaped from the custody of the Bureau of Prisons where he was committed at the direction of the Attorney General pursuant to a judgment and commitment order of the United States District Court for the Western District of Texas.

in violation of Title 18 United States Code, Section(s) 751(a).

I further state that I am a(n) Deputy U. S. Marshal and that this complaint is based on the following facts:

Official Title

SEE ATTACHED

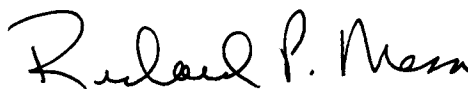
Continued on the attached sheet and made a part hereof:

☒ Yes ☐ NoM. Sharboneau
Signature of Complainant

Sworn to before me and subscribed in my presence,

July 26, 2005

Date

at El Paso, Texas
City and StateRichard P. Mesa, U.S. Magistrate Judge
Name & Title of Judicial Officer
Signature of Judicial Officer

Mario Alberto RIVAS

Information was received from D. Smith, Warden, Federal Correctional Institution, La Tuna, Anthony, Texas that Mario Alberto RIVAS was missing from the institution on July 25, 2005 during a 12:00 AM official count. Defendant was found to be missing and the defendant was officially declared an escaped federal prisoner at approximately 1:00 AM on July 25, 2005 by SMITH. It was determined after a complete search of the institution and the surrounding area that the Defendant was no longer at the institution. The Defendant did not receive authorization or permission to leave FCI La Tuna, Anthony, Texas

The Defendant had been committed to the custody of the Bureau of Prisons at the Direction of the Attorney General on January 25, 2005 for a period of 33 months after a conviction for Possession with intent to distribute and importation of approx. 2.9 pounds of cocaine in violation of Title 21 Section 841(a)(1) and 952(a) and (b)(1)(B) and 846. The Defendant was convicted in cause number EP—04-CR-1476-FM-2 in the Western District of Texas, El Paso.